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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BALL FOSTER GLASS CONTAINER COMPANY, L.L.C.,

Plaintiff,

v.

STITCH-TEC COMPANY, INC.,

Defendant,

LOY-LANGE BOX COMPANY,

Applicant for Intervention.

NO. 4:00CV646-SNL

Leave granted 2/16/01

MOTION FOR LEAVE TO INTERVENE AS A PLAINTIFF

COMES NOW Applicant for Intervention, Loy-Lange Box Company (Loy-Lange), by counsel and for its Motion for Leave to Intervene as a plaintiff in this action, states as follows:

1. Loy-Lange seeks to assert the claims set forth in its proposed Complaint attached hereto as Exhibit A.

2. Intervention is appropriate because Loy-Lange has a claim for property damage arising out of the same facts and circumstances as those alleged in original lawsuit.

3. Since the damages sustained by Loy-Lange arose out of the same fire that gave rise to the plaintiff's loss, Loy-Lange is situated so that the disposition of the present action may impair or impede Loy-Lange's ability to protect that interest.

4. A verdict or judgment in the present action could have a stare decisis effect on

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UNITED STATES DISTRICT COURT - EASTERN MISSOURI
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